

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
25-CR-20103-MIDDLEBROOKS/TORRES
Case No. _____

18 U.S.C. § 1343
18 U.S.C. § 1957
18 U.S.C. § 981(a)(1)(C)
18 U.S.C. § 982(a)(1)

UNITED STATES OF AMERICA

v.

BRETT THOMAS GRAHAM,

Defendant.

FILED BY BM D.C.

Mar 6, 2025

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMI

INDICTMENT

The Grand Jury charges that:

GENERAL ALLEGATIONS

At all times relevant to this Indictment:

1. From at least as early as 2019 until approximately 2020, defendant **BRETT THOMAS GRAHAM** was a resident of New York, New York. Beginning in approximately 2020, defendant **BRETT THOMAS GRAHAM** became a resident of Miami, Florida.

2. From approximately in or around 2013 until at least in or around April 2024, **BRETT THOMAS GRAHAM** maintained a checking account in his own name at First Republic Bank ending in 4150 (“Graham Account x4150”).

3. Family Member-1 was **BRETT THOMAS GRAHAM**’s close, elderly family member who became a widow in approximately 2017.

4. Beginning in approximately 2020, **BRETT THOMAS GRAHAM** served as Family Member-1’s power of attorney. Pursuant to the power of attorney, which was

memorialized and signed by **GRAHAM** in the presence of a notary, **GRAHAM** was obligated to “(1) act according to any instructions from [Family Member-1], or, where there are no instructions, in the principal’s best interest; (2) avoid conflicts that would impair [his] ability to act in [Family Member-1’s] best interest; (3) keep [Family Member-1’s] property separate and distinct from any assets [he] owned or controlled[;] [and] (4) keep a record of all receipts, payments and transactions conducted for [Family Member-1.]”

5. Family Member-1 maintained a savings account at JP Morgan Chase ending in 6750 (“Account x6750”).

6. Financial Advisor-1 was a registered investment advisor headquartered in New York, New York.

7. Beginning in approximately 2018, Financial Advisor-1 provided Family Member-1 with “financial planning and investment management services[.]”

8. Beginning in or around 2019, Family Member-1 maintained brokerage accounts in her name at Charles Schwab. The accounts were funded with Family Member-1’s money. All of the accounts except one were managed by Financial Advisor-1. Account ending in x9166 was managed by **BRETT THOMAS GRAHAM** (“Brokerage Account x9166”).

9. In or around February 2019, from the sale of her New York townhouse, Family Member-1 received into Account x6750 approximately \$8.3 million, from which approximately \$7.95 million was transferred to Charles Schwab brokerage accounts in her name.

10. Significant Other-1 was defendant **BRETT THOMAS GRAHAM**’s girlfriend.

11. Bulgari was an Italian luxury brand with retail stores throughout the world, including in Miami, Florida.

COUNTS 1-3
Wire Fraud
(18 U.S.C. § 1343)

1. The General Allegations section of this Indictment is re-alleged and incorporated by reference as though fully set forth herein.

2. From in or around September 2019, and continuing through in or around December 2024, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

BRETT THOMAS GRAHAM,

did knowingly, and with intent to defraud, devise, and intend to devise, a scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that the pretenses, representations, and promises were false and fraudulent when made, and, for the purpose of executing the scheme and artifice, did knowingly transmit and cause to be transmitted, by means of wire communication in interstate commerce, certain writings, signs, signals, pictures, and sounds, in violation of Title 18, United States Code, Section 1343.

PURPOSE OF THE SCHEME AND ARTIFICE

3. It was the purpose of the scheme and artifice for the defendant **BRETT THOMAS GRAHAM** to unlawfully enrich himself by, among other things, (a) misusing his relationship with and power of attorney over Family Member-1 to gain control of her assets; (b) misrepresenting to Financial Advisor-1 what he would do with Family Member-1's assets; (c) transferring and causing the transfer of Family Member-1's money into his own account instead of using the funds for her benefit; and (c) spending the money he stole from Family Member-1 for his own personal use and enjoyment and that of Significant Other-1.

MANNER AND MEANS OF THE SCHEME AND ARTIFICE

The manner and means by which the defendant sought to accomplish the purposes of the scheme and artifice included, among other things:

4. From in or around 2017, **BRETT THOMAS GRAHAM** involved himself in the management of Family Member-1's estate, which included helping her select Financial Advisor-1 in 2018 and then agreeing to act as power of attorney in 2020.

5. From in or around September 2019 through in or around May 2020, through use of interstate wires, **BRETT THOMAS GRAHAM** transferred into his own account, Graham Account x4150, over \$1 million from both Account x6750 and Brokerage Account x9166. **GRAHAM** did not have permission to transfer the funds.

6. From in or around May 2020 through in or around March 2024, through use of interstate wires, **BRETT THOMAS GRAHAM** caused Financial Advisor-1 to liquidate over \$7 million worth of Family Member-1's assets by falsely and fraudulently representing that he would invest the resulting funds for Family Member-1's benefit.

7. **BRETT THOMAS GRAHAM** transferred and caused the transfer of the funds from the liquidation of Family Member-1's assets to Family Member-1's Account x6750 and then to his personal account, Graham Account x4150.

8. Rather than invest the funds for Family Member-1's benefit, **BRETT THOMAS GRAHAM** spent Family Member-1's money on himself and for Significant Other-1, including to pay his credit card bills, for first-class travel, luxury rental apartments, and to purchase over \$500,000 in Bulgari jewelry.

9. As a result of the defendant's actions, in approximately April 2024, Family Member-1 had to move out of the assisted living facility in which she lived because she did not have sufficient liquid assets to pay her rent.

USE OF WIRES

10. On or about the dates specified as to each count below, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant, **BRETT THOMAS GRAHAM**, for the purpose of executing and in furtherance of the aforementioned scheme and artifice to defraud, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises, knowing that the pretenses, representations, and promises were false and fraudulent when made, did knowingly transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce certain writings, signs, signals, pictures, and sounds, as particularly described below:

COUNT	APPROXIMATE DATE	DESCRIPTION OF WIRE
1	December 15, 2020	Email sent by BRETT THOMAS GRAHAM , from the Southern District of Florida, to Financial Advisor-1 employee, outside the State of Florida, stating, "In view of the Doctor's diagnosis of cognitive decline I have activated the Power of Attorney that was put in place years ago (see attached). If you could please have me added to her accounts at Schwab that would be much appreciated. In view of the higher medical & care expenses if you could set aside \$250,000 into her independent Schwab account that would be great."
2	April 12, 2023	Email sent by BRETT THOMAS GRAHAM , from the Southern District of Florida, to Financial Advisor-1 employees, outside the State of Florida: "Can you please make \$800,000 available in [Family Member-1]'s account over the next week, it will be re-allocated in fixed income so maybe take that as a direction where to pull from."

COUNT	APPROXIMATE DATE	DESCRIPTION OF WIRE
3	June 15, 2023	Email sent by BRETT THOMAS GRAHAM , from the Southern District of Florida, to Financial Advisor-1 employees, outside the State of Florida: "Can you please make \$500,000 available in [Family Member-1]'s account over the next week."

In violation of Title 18, United States Code, Sections 1343 and 2.

COUNTS 4-8
Money Laundering
(18 U.S.C. § 1957)

1. The General Allegations section and paragraphs 4 through 8 of the Manner and Means section of Count 1 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

2. On or about the dates specified as to each count below, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

BRETT THOMAS GRAHAM,

did knowingly engage in monetary transactions affecting interstate commerce, by, through, and to a financial institution, in criminally derived property of a value greater than \$10,000, such property having been derived from a specified unlawful activity, and knowing that the property involved in the financial transaction represented the proceeds of some form of unlawful activity, as more particularly described below:

COUNT	APPROXIMATE DATE	DESCRIPTION OF TRANSACTION
4	June 22, 2020	Wire transfer of \$34,000 from Graham Account x4150 to an account at Bank of America ending in 5948 in connection with BRETT THOMAS GRAHAM 's leasing of Unit 2002 at 1000 Biscayne Boulevard.
5	December 22, 2021	Payment of \$50,000 from Graham Account x4150 to Coinbase.
6	December 29, 2022	Wire transfer of \$30,000 from Graham Account x4150 to an account at Bank of America ending in 5948 in connection with BRETT THOMAS GRAHAM 's leasing of Unit 2002 at 1000 Biscayne Boulevard.
7	May 23, 2023	Payment of \$65,000 from Graham Account x4150 to American Express.
8	December 26, 2023	Payment of \$39,357.11 from Graham Account x4150 to American Express.

It is further alleged that the specified unlawful activity was wire fraud, in violation of Title 18, United States Code, Section 1343.

In violation of Title 18, United States Code, Section 1957(a).

FORFEITURE ALLEGATIONS

1. The allegations of this Indictment are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant, **BRETT THOMAS GRAHAM**, has an interest.


2. Upon conviction of a violation of Title 18, United States Code, Section 1343, as alleged in this Indictment, the defendant shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to such offense, pursuant to Title 18, United States Code, Section 981(a)(1)(C).

3. Upon conviction of a violation of Title 18, United States Code, Section 1957, as alleged in this Indictment, the defendant shall forfeit to the United States any property, real or personal, involved in such offense, and any property traceable to such property, pursuant to Title 18, United States Code, Section 982(a)(1).

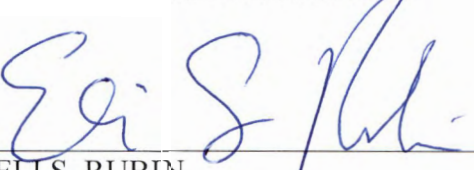
All pursuant to Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(1), and the procedures set forth in Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c).

A TRUE BILL

FOREPERSON



HAYDEN P. O'BYRNE
UNITED STATES ATTORNEY



ELI S. RUBIN
ASSISTANT UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

CASE NO.: 25-CR-20103-MIDDLEBROOKS/TORRES

v.

BRETT THOMAS GRAHAM,

CERTIFICATE OF TRIAL ATTORNEY

Defendant.

Court Division (select one)

- ☒ Miami ☐ Key West ☐ FTP
☐ FTL ☐ WPB

Superseding Case Information:

New Defendant(s) (Yes or No) _____

Number of New Defendants _____

Total number of new counts _____

I do hereby certify that:

1. I have carefully considered the allegations of the Indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, 28 U.S.C. §3161.
3. Interpreter: (Yes or No) No
List language and/or dialect: _____
4. This case will take 4 days for the parties to try.
5. Please check appropriate category and type of offense listed below:

(Check only one)	(Check only one)
I <input checked="" type="checkbox"/> 0 to 5 days	<input type="checkbox"/> Petty
II <input type="checkbox"/> 6 to 10 days	<input type="checkbox"/> Minor
III <input type="checkbox"/> 11 to 20 days	<input type="checkbox"/> Misdemeanor
IV <input type="checkbox"/> 21 to 60 days	<input checked="" type="checkbox"/> Felony
V <input type="checkbox"/> 61 days and over	
6. Has this case been previously filed in this District Court? (Yes or No) No
If yes, Judge _____ Case No. _____
7. Has a complaint been filed in this matter? (Yes or No) No
If yes, Judge _____ Magistrate Case No. _____
8. Does this case relate to a previously filed matter in this District Court? (Yes or No) No
If yes, Judge _____ Case No. _____
9. Defendant(s) in federal custody as of _____
10. Defendant(s) in state custody as of _____
11. Rule 20 from the _____ District of _____
12. Is this a potential death penalty case? (Yes or No) No
13. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared M. Strauss)? (Yes or No) No
14. Did this matter involve the participation of or consultation with Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No
15. Did this matter involve the participation of or consultation with Magistrate Judge Marty Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? No
16. Did this matter involve the participation of or consultation with Magistrate Judge Ellen F. D'Angelo during her tenure at the U.S. Attorney's Office, which concluded on October 7, 2024? No

By: _____

Eli S. Rubin

Assistant United States Attorney

SDFL Court ID No. A5503535

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: BRETT THOMAS GRAHAM

Case No: _____

Counts #: 1-3

Wire Fraud

Title 18, United States Code, Section 1343

- * **Max. Term of Imprisonment: Twenty (20) years**
- * **Mandatory Min. Term of Imprisonment (if applicable): N/A**
- * **Max. Supervised Release: Three (3) years**
- * **Max. Fine: \$250,000**

Counts #: 4-8

Money Laundering

Title 18, United States Code, Section 1957

- * **Max. Term of Imprisonment: Ten (10) Years**
- * **Mandatory Min. Term of Imprisonment (if applicable): N/A**
- * **Max. Supervised Release: Three (3) Years**
- * **Max. Fine: \$500,000 or Twice the Value of the Funds Involved**